



Service of Process Transmittal Summary

TO: ADAM HAWKES
The TJX Companies, Inc.
770 COCHITUATE RD
FRAMINGHAM, MA 01701-4666

RE: Process Served in Maryland

FOR: The TJX Companies, Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: CARMEN A. BATISTA // To: The TJX Companies, Inc.

DOCUMENT(S) SERVED: Writ of Summons, Return(s), Attachment(s), Complaint

COURT/AGENCY: Prince George County Circuit Court, MD
Case # CAL2202679

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - 02/02/2019

PROCESS SERVED ON: The Corporation Trust Incorporated, Lutherville Timonium, MD

DATE/METHOD OF SERVICE: By Process Server on 07/08/2022 at 16:02

JURISDICTION SERVED: Maryland

APPEARANCE OR ANSWER DUE: Within 30 days after service of this summons upon you

ATTORNEY(S)/SENDER(S): Dwayne E. Gaines
RICHIN & GAINES, P.A.
8601 Georgia Avenue, Suite 1006
Silver Spring, MD 20910
301-588-3500

ACTION ITEMS: CT has retained the current log, Retain Date: 07/09/2022, Expected Purge Date: 07/14/2022

Image SOP

Email Notification, ADAM HAWKES adam_hawkes@tjx.com

Email Notification, James Evans james_evans@tjx.com

REGISTERED AGENT CONTACT: The Corporation Trust Incorporated
2405 York Rd
Ste 201
Lutherville Timonium, MD 21093
800-448-5350
MajorAccountTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other

EXHIBIT
A



07/08/2022

CT Log Number 541885982

information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



Circuit Court For Prince George's County
Clerk Of The Circuit Court
Courthouse
Upper Marlboro, Md. 20772-9987
MD Relay Service Voice/ TDD
1-800-735-2258

Case No.: CAL22-02679

Other Reference No.(s):

Child Support Enforcement Number:

Date issued: May 11, 2022

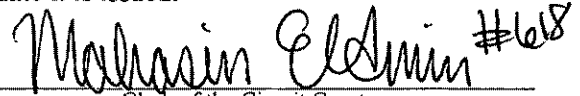
To: TJX Companies Inc
Sv: The Corporation Trust Inc
32 South Street
Baltimore, MD 21202

WRIT OF SUMMONS

You are hereby summoned to file a written response by pleading or motion, within 30 days after service of this summons upon you, in this Court, to the attached complaint filed by;

CARMEN A BATISTA
1909 TREETOP LANE APT 11
SILVER SPRING MD 20904

This summons is effective for service only if served within 60 days after the date it is issued.


Clerk of the Circuit Court

To the person summoned:

Failure to file a response within the time allowed may result in a judgment by default or the granting of the relief sought against you.

Personal attendance in court on the day named is NOT required.

Instructions for Service:

1. This summons is effective for service only if served within 60 days after the date issued. If it is not served within the 60 days, the plaintiff must send a written request to have it renewed.
2. Proof of Service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Maryland Rule 2-126.
4. If this notice is served by private process, process server shall file a separate affidavit as required by Maryland Rule 2-126(a).

SHERIFF'S RETURN

Circuit Court for Prince George's County

To:

Sheriff fee: By:

Served:

Time: Date:

Unserved (Reason):

With the following:

- ☐ Summons
- ☐ Complaint
- ☐ Motions
- ☐ Petition and Show Cause Order

- ☐ Counter Complaint
- ☐ Domestic Case Information Report
- ☐ Financial Statement
- ☐ Other: _____

(please specify)

Was unable to serve because:

- ☐ Moved; left no forwarding address
- ☐ Address not in Jurisdiction

- ☐ No such address
- ☐ Other: _____

(please specify)

Sheriff Fee: \$ _____

☐ Waived by: _____

(Serving Sheriff's Signature & Date)

Instructions to Private Process:

1. This Summons is effective for service only if served within 60 days after the date issued. If it is not served within the 60 days, the plaintiff must send a written request to have it renewed.
2. Proof of Service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
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Sheriff fee: By:

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Time: Date:

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- ☐ Financial Statement
- ☐ Other: _____

(please specify)

Was unable to serve because:

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- ☐ Address not in Jurisdiction

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(please specify)

Sheriff Fee: \$ _____

☐ Waived by: _____

(Serving Sheriff's Signature & Date)

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Case 8:22-cv-01973-AAQ

IN THE CIRCUIT COURT FOR Prince George's County

(City or County)

CIVIL - NON-DOMESTIC CASE INFORMATION REPORT

DIRECTIONS

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a).

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING

FORM FILED BY: <input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT		CASE NUMBER _____
		(Clerk to insert)
CASE NAME: Carmen Batista		vs. Pennsylvania Real Estate Investment Trust, et al.
Plaintiff		Defendant
PARTY'S NAME: Carmen Batista		PHONE: _____
PARTY'S ADDRESS: 1909 Treetop Lane, Apt. 11, Silver Spring, Maryland 20904		
PARTY'S E-MAIL: _____		
If represented by an attorney:		
PARTY'S ATTORNEY'S NAME: Dwayne E. Gaines, Esquire		PHONE: (301) 588-3500
PARTY'S ATTORNEY'S ADDRESS: 8601 Georgia Avenue, Suite 1006, Silver Spring, Maryland 20910		
PARTY'S ATTORNEY'S E-MAIL: richin.gaines@verizon.net		
JURY DEMAND? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
RELATED CASE PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, Case #(s), if known: _____		
ANTICIPATED LENGTH OF TRIAL?: _____ hours <u>2</u> days		
PLEADING TYPE		
New Case: <input checked="" type="checkbox"/> Original <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Appeal		
Existing Case: <input type="checkbox"/> Post-Judgment <input type="checkbox"/> Amendment		
If filing in an existing case, skip Case Category/ Subcategory section - go to Relief section.		
IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)		

TORTS

- ☐ Asbestos
- ☐ Assault and Battery
- ☐ Business and Commercial
- ☐ Conspiracy
- ☐ Conversion
- ☐ Defamation
- ☐ False Arrest/Imprisonment
- ☐ Fraud
- ☐ Lead Paint - DOB of Youngest Plt. _____
- ☐ Loss of Consortium
- ☐ Malicious Prosecution
- ☐ Malpractice-Medical
- ☐ Malpractice-Professional
- ☐ Misrepresentation
- ☐ Motor Tort
- ☐ Negligence
- ☐ Nuisance
- ☒ Premises Liability
- ☐ Product Liability
- ☐ Specific Performance
- ☐ Toxic Tort
- ☐ Trespass
- ☐ Wrongful Death

CONTRACT

- ☐ Asbestos
- ☐ Breach
- ☐ Business and Commercial
- ☐ Confessed Judgment
- ☐ (Cont'd)
- ☐ Construction
- ☐ Debt
- ☐ Fraud

- ☐ Government
- ☐ Insurance
- ☐ Product Liability

PROPERTY

- ☐ Adverse Possession
- ☐ Breach of Lease
- ☐ Detinue
- ☐ Distress/Distrain
- ☐ Ejectment
- ☐ Forcible Entry/Detainer
- ☐ Foreclosure
- ☐ Commercial
- ☐ Residential
- ☐ Currency or Vehicle
- ☐ Deed of Trust
- ☐ Land Installments
- ☐ Lien
- ☐ Mortgage
- ☐ Right of Redemption
- ☐ Statement Condo
- ☐ Forfeiture of Property / Personal Item
- ☐ Fraudulent Conveyance
- ☐ Landlord-Tenant
- ☐ Lis Pendens
- ☐ Mechanic's Lien
- ☐ Ownership
- ☐ Partition/Sale in Lieu
- ☐ Quiet Title
- ☐ Rent Escrow
- ☐ Return of Seized Property
- ☐ Right of Redemption
- ☐ Tenant Holding Over

PUBLIC LAW

- ☐ Attorney Grievance
- ☐ Bond Forfeiture Remission
- ☐ Civil Rights
- ☐ County/Mncpl Code/Ord
- ☐ Election Law
- ☐ Eminent Domain/Condemn.
- ☐ Environment
- ☐ Error Coram Nobis
- ☐ Habeas Corpus
- ☐ Mandamus
- ☐ Prisoner Rights
- ☐ Public Info. Act Records
- ☐ Quarantine/Isolation
- ☐ Writ of Certiorari

EMPLOYMENT

- ☐ ADA
- ☐ Conspiracy
- ☐ EEO/HR
- ☐ FLSA
- ☐ FMLA
- ☐ Workers' Compensation
- ☐ Wrongful Termination

INDEPENDENT PROCEEDINGS

- ☐ Assumption of Jurisdiction
- ☐ Authorized Sale
- ☐ Attorney Appointment
- ☐ Body Attachment Issuance
- ☐ Commission Issuance

- ☐ Constructive Trust
- ☐ Contempt
- ☐ Deposition Notice
- ☐ Dist Ct Mtn Appeal
- ☐ Financial
- ☐ Grand Jury/Petit Jury
- ☐ Miscellaneous
- ☐ Perpetuate Testimony/Evidence
- ☐ Prod. of Documents Req.
- ☐ Receivership
- ☐ Sentence Transfer
- ☐ Set Aside Deed
- ☐ Special Adm. - Atty
- ☐ Subpoena Issue/Quash
- ☐ Trust Established
- ☐ Trustee Substitution/Removal
- ☐ Witness Appearance-Compel

PEACE ORDER

- ☐ Peace Order

EQUITY

- ☐ Declaratory Judgment
- ☐ Equitable Relief
- ☐ Injunctive Relief
- ☐ Mandamus

OTHER

- ☐ Accounting
- ☐ Friendly Suit
- ☐ Grantor in Possession
- ☐ Maryland Insurance Administration
- ☐ Miscellaneous
- ☐ Specific Transaction
- ☐ Structured Settlements

IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Abatement | <input type="checkbox"/> Earnings Withholding | <input type="checkbox"/> Judgment-Interest | <input type="checkbox"/> Return of Property |
| <input type="checkbox"/> Administrative Action | <input type="checkbox"/> Enrollment | <input type="checkbox"/> Judgment-Summary | <input type="checkbox"/> Sale of Property |
| <input type="checkbox"/> Appointment of Receiver | <input type="checkbox"/> Expungement | <input type="checkbox"/> Liability | <input type="checkbox"/> Specific Performance |
| <input type="checkbox"/> Arbitration | <input type="checkbox"/> Findings of Fact | <input type="checkbox"/> Oral Examination | <input type="checkbox"/> Writ-Error Coram Nobis |
| <input type="checkbox"/> Asset Determination | <input type="checkbox"/> Foreclosure | <input type="checkbox"/> Order | <input type="checkbox"/> Writ-Execution |
| <input type="checkbox"/> Attachment b/f Judgment | <input type="checkbox"/> Injunction | <input type="checkbox"/> Ownership of Property | <input type="checkbox"/> Writ-Garnish Property |
| <input type="checkbox"/> Cease & Desist Order | <input type="checkbox"/> Judgment-Affidavit | <input type="checkbox"/> Partition of Property | <input type="checkbox"/> Writ-Garnish Wages |
| <input type="checkbox"/> Condemn Bldg | <input type="checkbox"/> Judgment-Attorney Fees | <input type="checkbox"/> Peace Order | <input type="checkbox"/> Writ-Habeas Corpus |
| <input type="checkbox"/> Contempt | <input type="checkbox"/> Judgment-Confessed | <input type="checkbox"/> Possession | <input type="checkbox"/> Writ-Mandamus |
| <input type="checkbox"/> Court Costs/Fees | <input type="checkbox"/> Judgment-Consent | <input type="checkbox"/> Production of Records | <input type="checkbox"/> Writ-Possession |
| <input checked="" type="checkbox"/> Damages-Compensatory | <input type="checkbox"/> Judgment-Declaratory | <input type="checkbox"/> Quarantine/Isolation Order | |
| <input type="checkbox"/> Damages-Punitive | <input type="checkbox"/> Judgment-Default | <input type="checkbox"/> Reinstatement of Employment | |

If you indicated **Liability** above, mark one of the following. This information is not an admission and may not be used for any purpose other than Track Assignment.

☐ Liability is conceded. ☒ Liability is not conceded, but is not seriously in dispute. ☐ Liability is seriously in dispute.

MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)

☐ Under \$10,000 ☐ \$10,000 - \$30,000 ☐ \$30,000 - \$100,000 ☒ Over \$100,000

☐ Medical Bills \$ _____ ☐ Wage Loss \$ _____ ☐ Property Damages \$ _____

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

A. Mediation ☒ Yes ☐ No

C. Settlement Conference ☒ Yes ☐ No

B. Arbitration ☐ Yes ☐ No

D. Neutral Evaluation ☐ Yes ☐ No

SPECIAL REQUIREMENTS

☐ If a Spoken Language Interpreter is needed, check here and attach form CC-DC-041

☐ If you require an accommodation for a disability under the Americans with Disabilities Act, check here and attach form CC-DC-049

ESTIMATED LENGTH OF TRIAL

With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL.

(Case will be tracked accordingly)

☐ 1/2 day of trial or less

☐ 3 days of trial time

☐ 1 day of trial time

☐ More than 3 days of trial time

☒ 2 days of trial time

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

For all jurisdictions, if Business and Technology track designation under Md. Rule 16-308 is requested, attach a duplicate copy of complaint and check one of the tracks below.

☐ **Expedited**- Trial within 7 months of Defendant's response

☐ **Standard** - Trial within 18 months of Defendant's response

EMERGENCY RELIEF REQUESTED

**COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.

- ☐ **Expedited** - Trial within 7 months of Defendant's response ☐ **Standard** - Trial within 18 months of Defendant's response

IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, OR BALTIMORE COUNTY, PLEASE FILL OUT THE APPROPRIATE BOX BELOW.

CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

- ☐ Expedited Trial 60 to 120 days from notice. Non-jury matters.
- ☐ Civil-Short Trial 210 days from first answer.
- ☐ Civil-Standard Trial 360 days from first answer.
- ☐ Custom Scheduling order entered by individual judge.
- ☐ Asbestos Special scheduling order.
- ☐ Lead Paint Fill in: Birth Date of youngest plaintiff.....
- ☐ Tax Sale Foreclosures Special scheduling order.
- ☐ Mortgage Foreclosures No scheduling order.

CIRCUIT COURT FOR BALTIMORE COUNTY

- ☐ Expedited (Trial Date-90 days) Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.
- ☐ Standard (Trial Date-240 days) Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.
- ☐ Extended Standard (Trial Date-345 days) Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency.
- ☐ Complex (Trial Date-450 days) Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

February 1, 2022 Date

8601 Georgia Avenue, Suite 1006 Address

Silver Spring, Maryland 20910 City State Zip Code

Dwayne E. Gaines Signature of Counsel / Party

Dwayne E. Gaines, Esquire Printed Name

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

CARMEN A. BATISTA
1909 Treetop Lane, Apt. 11
Silver Spring, Maryland 20904

Plaintiff,

v.

PENNSYLVANIA REAL ESTATE INVESTMENT TRUST
Serve:
The Corporation Trust Incorporated
2405 York Road, Suite 201
Lutherville Timonium, Maryland 21093-2264

and

PR PRINCE GEORGES PLAZA, LLC
Serve:
The Corporation Trust Incorporated
2405 York Road, Suite 201
Lutherville Timonium, Maryland 21093-2264

and

THE TJX COMPANIES, INC. d/b/a
MARSHALLS
Serve:
The Corporation Trust Incorporated
32 South Street
Baltimore, Maryland 21202

Defendants.

COMPLAINT

The Plaintiff, Carmen A. Batista, by and through her attorney, Dwayne E. Gaines, brings this action against the Defendants, Pennsylvania Real Estate Investment Trust, PR Prince Georges Plaza, LLC, and The TJX Companies, Inc. d/b/a Marshall and her cause of action is as follows:

CLERK OF THE
CIRCUIT COURT
2022 FEB -1 PM 4:01
PR GEO CO MD #57

1. That the Defendant, Pennsylvania Real Estate Trust, hereinafter referred to as "PREIT", is a real estate investment trust doing business in Prince George's County, Maryland, and is registered in the State of Maryland for the purposes of carrying on such business.

2. At all times herein mentioned, and on or about February 2, 2019, the Defendant, PREIT, was the owner and property manager of certain real property, together with improvements thereon, located at or near 3500 East West Highway in Hyattsville, Maryland.

3. That the Defendant, PR Prince Georges Plaza, LLC, hereinafter referred to as "PG Plaza" is a corporation doing business in Prince George's County, Maryland, and is registered in the State of Maryland for the purposes of carrying on such business.

4. At all times herein mentioned, and on or about February 2, 2019, the Defendant, PG Plaza, was the owner and property manager of certain real property, together with improvements thereon, located at or near 3500 East West Highway in Hyattsville, Maryland.

5. That the Defendant, The TJX Companies d/b/a Marshalls, hereinafter referred to as "Marshalls", is a department store doing business in Prince George's County, Maryland, and is registered in the State of Maryland for the purposes of carrying on such business.

6. That on or about February 2, 2019, the Defendant, Marshalls, possessed, controlled, maintained, and managed a certain premises commonly described as a department store located at or near 3500 East West Highway in Hyattsville, Maryland.

7. That at all times mentioned the Plaintiff, Carmen A. Batista, was an invitee on the premises including the sidewalks, and as such, the Defendants, PREIT, PG Plaza, and Marshalls, their agents, servants and/or employees, owed her a duty to maintain the premises in a reasonably safe condition so as to prevent harm or injury to her.

8. That the Defendants, PREIT, PG Plaza, and Marshalls, breached their duty by

~~their conduct which includes but is not limited to the following:~~

- a. Failing to properly supervise portions of the property in question so as to furnish to the Plaintiff, Carmen A. Batista, safe sidewalks, free from hazards including but not limited to ice and/or snow which were recognized or should have been recognized by Defendants, as causing or likely to cause serious physical harm to the Plaintiff, Carmen A. Batista, and other invitees;
- b. Failing to maintain said sidewalks in a safe condition to insure that the Plaintiff, Carmen A. Batista, would not be caused to slip and fall on ice and/or snow as a result of the condition of the sidewalks which existed and which was known or should have been known to the Defendants;
- c. Failing to inspect said sidewalks for ice and/or snow and take the necessary steps to insure that the Plaintiff, Carmen A. Batista, would not be caused to slip and fall;
- d. Failing to maintain the premises in a good and safe condition for the Plaintiff, Carmen A. Batista, and other invitees.

9. That the condition of the sidewalks was known or should have been known to the Defendants, PREIT, PG Plaza, and Marshalls, their agents, servants and/or employees.

10. That on or about February 2, 2019 the Plaintiff was walking on a sidewalk at or near the entrance to the department store in question when she slipped and fell upon ice on the sidewalk.

11. That as a direct and proximate result of the negligence of the Defendants, PREIT, PG Plaza, and Marshalls, without any negligence on the part of the Plaintiff contributing thereto,

the Plaintiff, Carmen A. Batista, has suffered severe and permanent injuries and scarring; has suffered and will continue to suffer in the future a severe loss of earnings and an impairment of her earning capacity; has been, and may in the future be required to expend various sums of money for medical services, x-rays, surgeries, hospitalizations, and medications; has been and will in the future be prevented from attending to her usual activities, duties and occupations, all to her great detriment and loss.

WHEREFORE, the Plaintiff, Carmen A. Batista, prays for judgment in her favor, jointly and severally, against the Defendants, Pennsylvania Real Estate Investment Trust, PR Prince Georges Plaza, LLC, and The TJX Companies, Inc. d/b/a Marshalls, and that she be awarded damages in the principal sum of Two Million Dollars (\$2,000,000.00), plus interest and costs incident to this proceeding and any other further relief this Honorable Court may deem just and proper.

Respectfully Submitted,

RICHIN & GAINES, P.A.

By: 

Dwayne E. Gaines, Esquire
8601 Georgia Avenue, Suite 1006
Silver Spring, Maryland 20910
(301) 588-3500
Attorney for Plaintiff

JURY DEMAND

The Plaintiff respectfully requests a trial by jury.


Dwayne E. Gaines